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5 Attorneys for Defendants  
 VALLEY HEALTH SYSTEM, LLC, D/B/A DESERT SPRINGS  
 6 HOSPITAL; AND RAEJOHNE FOSTER

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

11 ANGELA CUMMINGS,

12 Plaintiff,

13 vs.

14 VALLEY HEALTH SYSTEM, LLC, a  
 Delaware Limited-Liability Company d/b/a  
 15 DESERT SPRINGS HOSPITAL;  
 RAEJOHNE FOSTER, an individual,

16 Defendants.  
 17

**CASE NO. 2:13-CV-00479-APG-GWF**

**STATUS REPORT PURSUANT TO  
 ORDER (DOC. 46) AND ORDER TO  
 EXTEND THE REBUTTAL EXPERT  
 DEADLINE**

18 Plaintiff Angela Cummings (“Plaintiff”), and Defendants Valley Health System, LLC, d/b/a  
 19 Desert Springs Hospital and RaeJohne Foster (hereinafter collectively referred to as “Defendants”),  
 20 by and through their undersigned counsel, hereby file this Status Report to the Court pursuant to its  
 21 Order (Doc. 46) regarding the Stipulation and Order to Extend the Rebuttal Expert Deadline (Doc.  
 22 45).

23 As the Court is aware, Defendants served the subpoena for Plaintiff’s medical records to  
 24 Southwest Medical Associates on March 17, 2014. Southwest Medical Associates’ response to the  
 25 subpoena for records was due on or before April 4, 2014. Defendants received Southwest Medical  
 26 Associates’ subpoena response on April 9, 2014, which consists of 826 pages.

27 The Order provides that upon receipt of a status report regarding the receipt of the medical  
 28

1 records the Court would grant a 30 day extension of the deadline to make rebuttal expert disclosures  
2 (Doc. 46). Accordingly, the parties respectfully request that the Court grant their Stipulation and  
3 Order to amend the current scheduling order and discovery plan (third request) by extending the  
4 current rebuttal expert deadline date of March 24, 2014 for 30 days from April 9, 2014, the date  
5 Defendants received the subpoena response from Southwest Medical Associates, to **May 9, 2014**,  
6 with all other discovery deadlines to remain the same pursuant to the Court's Order (Doc. 40) filed  
7 on January 14, 2014. As such, discovery in this matter will close on May 19, 2014 (Doc. 40).  
8 However, notwithstanding the discovery date, Defendant agrees that Plaintiff will have until June 8,  
9 2014 to depose Defendant's rebuttal expert, if one is retained in this matter. This extension is sought  
10 in good faith and not for the purpose of delay.

11 Dated: April 14, 2014

Dated: April 14, 2014

12 Respectfully submitted,

Respectfully submitted,

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14  
15 /s/ James P. Kemp, Esq.  
16 JAMES P. KEMP, ESQ.  
KEMP & KEMP, ATTORNEYS AT LAW

/s/ Jamie Chu, Esq.  
WENDY MEDURA KRINCEK, ESQ.  
JAMIE CHU, ESQ.  
LITTLER MENDELSON, P.C.

17 Attorneys for Plaintiff

Attorneys for Defendants

18  
19 **ORDER**

20 **IT IS SO ORDERED.**

21  
22 Dated this 21st day of April, 2014

23  
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25 \_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

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27 Firmwide:126260355.1 069080.1036